

06-06-02
PATENT #3
Practitioner's Docket No.: BTI-17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: **Michael L. Weiner et al.**

Application No.: 10/078,062

Confirmation No: 6346

Group No.:

Filed: 2/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

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Date of Deposit: 6/5/02

I hereby state that the following *attached* paper or fee:

Certificate of Express Mailing

Petition for Extension of Time-1 Month

Transmittal Form

Newly executed Declaration

Transmittal of Formal Drawings

58 sheets of Formal Drawings

Copy of "Notice to File Missing Parts of NonProvisional Application"

Return Postcard

Fee Transmittal

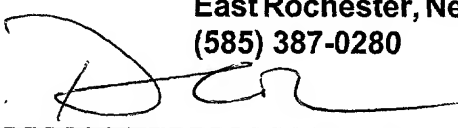
Check for \$120.00

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

PERSON MAILING THE APPLICATION:

Greenwald & Basch LLP
349 West Commercial Street
Suite 2490
East Rochester, New York 14445
(585) 387-0280

SIGNATURE OF MAILER:

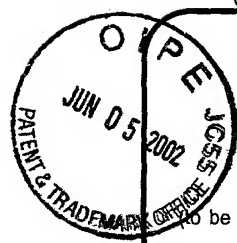
- 
- ☐ Howard J. Greenwald, Esq. (Reg. No. 24,247)
 - ☒ Duane C. Basch, Esq. (Reg. No. 34,545)
 - ☐ Suzanne T. Stockman
 - ☐ Dollie C. Masters
 - ☐ Other: _____

#3

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

| | |
|--|-------------------|
| Application Number | 10/078,062 |
| Filing Date | 2/19/2002 |
| First Named Inventor | Michael L. Weiner |
| Group Art Unit | |
| Examiner Name | |
| Total Number of Pages in This Submission | 10+ |
| Attorney Docket Number | BTI-17 |

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | See 1 in Addendum |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Request for Refund | |
| <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | In response to NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 3/13/2002, applicant herewith encloses 1) the DECLARATION, newly dated and signed by each inventor, 2) a check for \$65.00 for the surcharge for late filing of the DECLARATION, and 3) fifty-eight sheets (58) of substitute drawings in compliance with 37 CFR 1.84. Also enclosed is a Petition for Extension of Time to extend the deadline for reply for one (1) month from 5/13/2002 to 6/13/2002 under the provisions of 37 CFR 1.136 (a) and a check for \$55.00 for the Extension fee. If any additional fees are required, please deduct from Deposit Account 50-1706. |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

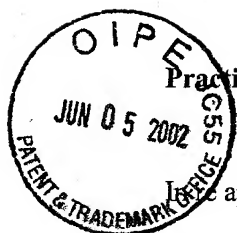
| | |
|-------------------------|--|
| Firm or Individual name | Duane C. Basch # 34,545; Greenwald & Basch LLP |
| Signature | |
| Date | 6/5/02 |

CERTIFICATE OF MAILING

| | |
|--|------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: | |
| Typed or printed name | |
| Signature | Date |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#4



Practitioner's Docket No. BTI-17

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Let application of: Michael L. Weiner et al.

Application No.: 10/078,063

Confirmation No: 6346

Group No.:

Filed: 02/19/2002

Examiner:

For: "An Electromagnetic Interference Immune Tissue Invasive System"

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

In response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, mailed on March 13, 2002, attached please find:

- (a) the formal drawing(s) for this application.
Number of Sheets: 58

Each sheet of drawing indicates the identifying indicia suggested in Section 1.84(c) on the reverse side of the drawing.

- (b) a copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION.

Date: 6/5/02

Duane C. Basch
Registration No. 34,545
Greenwald & Basch LLP
Suite 2490
349 West Commercial Street
East Rochester, NY 14445
US
585-387-0280
Customer No. 27157

CERTIFICATE OF EXPRESS MAILING (37 C.F.R. section 1.10 (c))

Express Mail Label: EV 09224776US

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: 6/5/02

Duane C. Basch
(type or print name of person mailing paper)

Signature of person mailing paper

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/078,062 | 02/19/2002 | Michael L. Weiner | BTI-17 |

27157
GREENWALD & BASCH, LLP
SUITE 2490
349 WEST COMMERCIAL STREET
EAST ROCHESTER, NY 14445



CONFIRMATION NO. 6346

FORMALITIES LETTER



OC000000007631762

Date Mailed: 03/13/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

06/11/2002 NHCHAMM1 00000006 10078062

02 FC:205 65.00 DP



*A copy of this notice **MUST** be returned with the reply.*



D. W. W. W. W.
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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